
SENATE BILL No. 413

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-2.1-24-25.

Synopsis: Impoundment of commercial motor vehicles. Provides that a state police officer, a state police motor carrier inspector, or certain employees of a law enforcement agency may not impound a motor vehicle operated for hire for alleged safety violations on the motor vehicle unless the motor vehicle is the subject of an out-of-service order.

Effective: Upon passage.

Paul

January 10, 2002, read first time and referred to Committee on Transportation and Interstate Cooperation.

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PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

SENATE BILL No. 413

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-2.1-24-25 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. (a) The
3 department or the state police department may impound a motor
4 vehicle operated for hire if:

5 (1) the motor carrier of property has not obtained the required
6 certification from the department; and

7 (2) the vehicle is being operated on an Indiana highway.

8 (b) To obtain possession of a motor vehicle impounded under
9 subsection (a), the motor carrier that operates the motor vehicle must
10 either:

11 (1) obtain the required certification from the department; or

12 (2) remove from the vehicle all cargo for which the required
13 certification has not been obtained.

14 (c) If the motor carrier that operates a motor vehicle impounded
15 under subsection (a) is not the owner of the vehicle, the department or
16 the state police department shall release the motor vehicle to the owner
17 unless the owner was aware that the motor vehicle was being operated



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1 without the required certification.

2 (d) Cargo held in a motor vehicle impounded under subsection (a)
3 must be released if the cargo is loaded into a motor vehicle operated in
4 compliance with this chapter.

5 (e) **A person described in section 18(d)(1) and 18(d)(2) of this**
6 **chapter may not impound a motor vehicle operated for hire for**
7 **alleged safety violations on the motor vehicle unless the motor**
8 **vehicle is the subject of an out-of-service order (as defined in**
9 **IC 9-13-2-120.5).**

10 SECTION 2. **An emergency is declared for this act.**

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